THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8155 of 2007

Dated: 19.04.2007

Between:

Sri Laxmi Narayana Swamy Temple,
Ranga Reddyguda Village, Balanagar Mandal,
Mahaboobnagar District.

..... PETITIONER

AND

The District Collector, Mahaboobnagar, and others.

.....RESPONDENTS

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WRIT PETITION No.8155 of 2007

ORDER:

Respondents 4 to 7 filed an application before third respondent, the Mandal Revenue Officer (MRO) seeking change in the record of rights in Form I under the provisions of the of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, the Act). In their application, respondents 8 to 10 were shown as opposite parties. After considering the rival claims, by proceedings dated 09.02.2007, MRO ordered amendments to the record of rights in favour of respondents 4 to 7. Aggrieved by this, instant writ petition is filed.

The main contention raised in support of the writ petition is that in all the revenue records, land in survey Nos.212, 219, 220, 221/1, 221/2, 223, 233, 234, 344 and 366 admeasuring Acs.51.00 situated at Ranga Reddyguda Village is shown as endowed land as the land belonging to the petitioner temple. But curiously MRO did not issue notice under Section 5(3) of the Act and Rule 19 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 (the Rules, for brevity). As seen from the impugned order dated 09.02.2007, the petitioner temple is not a party therein. Be that as it is, the petitioner has an effective remedy by way of appeal under Section 5(5) of the Act before the Revenue Divisional Officer (RDO). The petitioner is given liberty to approach RDO and file appeal and also seek appropriate interim orders to prevent any alienation by respondents 4 to 7. In view of the question of alienation involved in the writ petition, this Court is not inclined to entertain the writ petition at this stage.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

19th April, 2007

ghn